

LOEVY & LOEVY

David B. Owens, State Bar No. 275030

david@loevy.com

Jon Loevy

jon@loevy.com

Steven Art

steve@loevy.com

Alison R. Leff

alison@loevy.com

311 N Aberdeen St, 3rd Fl

Chicago, IL 60607

(312) 243-5900

SCHONBRUN SEPLow HARRIS

HOFFMAN & ZELDES, LLP

Michael D. Seplow, State Bar No. 150183

mseplow@sshzlaw.com

9415 Culver Blvd #115

Culver City, CA 90232

(310) 396-0731

Attorneys for Plaintiff,

GERARDO CABANILLAS.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

GERARDO CABANILLAS,

Plaintiff,

v.

CITY OF SOUTH GATE et al.

Defendants.

Case No.: 2:24-cv-08027-ODW-BFM

**DECLARATION OF ALISON R.
LEFF IN SUPPORT OF
PLAINTIFF'S APPLICATION TO
COURT FOR ENTRY OF DEFAULT**

I, Alison R. Leff, declare as follows under 28 U.S.C. § 1746:

1. I am counsel for Plaintiff Gerardo Cabanillas.

2. I am over 18 years old and have personal knowledge of the facts in this declaration.

3. I caused a copy of the complaint in this case to be filed on September 19, 2024. ECF No. 1.

4. My firm promptly provided a copy of the issued summonses for all defendants and the filed complaint to a process server and arranged for service

1 upon each defendant.

2 5. My firm received returned summonses from the process server for
3 each defendant.

4 6. According to the process server's affidavit, on October 7, 2024, the
5 Cities of South Gate and Huntington Park were served. ECF Nos. 49 and 44.

6 7. According to the process server's affidavit, on October 9, 2024,
7 Defendants Lee Jack Alirez, Officer Reyes, Detective Lopez, Cosme Lozano,
8 Officer Ayestas, Sergeant Sullivan, and Officer Salcido were served. ECF No. 48
9 (Alirez); ECF No. 47 (Reyes); ECF No. 45 (Lopez); ECF No. 43 (Lozano); ECF
10 No. 42 (Ayestas); ECF No. 41 (Sullivan); ECF No. 40 (Salcido).

11 8. Under Fed. R. Civ. P. 12(a), these Defendants had 21 days—until
12 October 28 for the municipalities and October 30 for the individuals—to respond
13 to the complaint.

14 9. None of the Defendants has answered the complaint, otherwise
15 responded to it, or contacted me or any other attorney who represents the Plaintiff.

16 10. On October 29, 2024, I called the clerk of the City of Huntington
17 Park to inquire about the City's nonresponse to the lawsuit. I left a message with a
18 receptionist at the clerk's office. No one returned my call.

19 11. As far as Plaintiff is aware, the defaulting parties are not infants or
20 incompetent people, as contemplated by Local Rule 55-1(c).

21 12. As far as Plaintiff is aware, the Servicemembers Civil Relief Act does
22 not apply to any of the defaulting defendants.

23
24 Dated: November 1, 2024

25 /s/ Alison R. Leff
26 Alison R. Leff
27 One of Plaintiff's Attorneys
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